

TOWN OF NORTHFIELD, VERMONT
SELECT BOARD REGULAR MEETING
Minutes of July 13, 2021

- I. ROLL CALL.** Select Board Chair K. David Maxwell, Board members Julie H. Goodrich, Nathaniel Miller, Charles Morse, and John Stevens. Also present were Town Manager Jeff Schulz, Acting Clerk Kenneth McCann, Drew Allard, William Allard, Valerie Fisher, Katherine Cunningham, Kaitlyn Keating (NCDN), Jean Kerner (NCDN), Don Rhoades (Friends of Northfield Dog Park), Robert LaClair, Bonnie Donahue (Northfield Common Connections), Lydia Petty (Northfield Common Connections), Karen Trombly, Susan Stillinger, Carolyn Stevens, and Elroy Hill.

Chair Maxwell called the meeting to order at 7:00 p.m. Members of the public had the option of attending the meeting either in person or remotely through Go-to-Meeting.

- II. PLEDGE OF ALLEGIANCE.** Those persons present were asked to rise and recite the Pledge of Allegiance. The remote contingent also participated as much as possible.

- III. SET/ADJUST AGENDA.** There were no changes to the posted agenda.

IV. BOARD OF HEALTH HEARING

- a. Appeal of Emergency Health Order.** Manager Schulz said the Deputy Health Officer (Chris Golder) issued an emergency health order for the property located at 94 North Street, which currently has two (2) rental units. The order cited numerous health code violations due to "evidence of multiple biological and physical hazards" that included uncollected garbage, a damaged roof, etc. The order requires that the affected tenant (Valerie Fisher) be relocated at the landlord's expense until all the hazards have been addressed and the order lifted. The owner of the property, Drew Allard, filed an appeal of this emergency order within the timeframe provided by state law. Mr. Allard said he purchased the property over a year ago with the plan to evict this tenant, renovate this apartment unit, and move into it himself. A second unit in the building would continue to be rented out to another person. He said the COVID-19 moratorium on evictions will expire this month (07/15/21) and he provided Ms. Fisher with an eviction notice in April 2021 so that she could make arrangements to move once the notice could be enforced. Mr. Allard said he has found it difficult to communicate with Ms. Fisher as she does not respond to his letters, return his phone messages, and refuses to come to the door when he calls on her. In addition, Ms. Fisher has not paid the full rent amount since he purchased the building and has stopped paying altogether in recent months. Mr. Allard said he has scheduled repairmen to fix problems in the apartment unit only to have Ms. Fisher deny access. In addition, due to the lack of rent payments, Mr. Allard cannot afford to make the renovations required until he can move in himself and stop paying rent elsewhere. He asked that the emergency order be lifted so that the eviction process can proceed. Chair Maxwell asked if the Select Board members had any questions. Board member Morse feels the Select Board members have not been presented sufficient evidence from both sides and that either the Health Officer or Deputy Health Officer should be in attendance to answer questions about the process, etc. He suggested recessing the hearing until a later time. Ms. Fisher said she only learned of this hearing today so she hasn't had time to prepare a statement, etc. She added that the property owner has the ability to appeal any decision made by the local Board of Health to the state Board of Health. Board member Morse felt it would be fairer to both sides if the Select Board members had more information available before making a decision. Motion by Board member Morse, seconded by Board member Stevens, to recess the hearing to a later date. Board member Goodrich asked if this delay would be within the legal timeline for taking action. Manager Schulz said the Select Board did hold this initial hearing within the prescribed timeline so this slight delay is permissible. Board member Miller agreed a delay would be advisable if it meant more information would be available. **Motion passed 5-0-0.** The Select Board will schedule a special meeting next week to address this matter. The hearing closed at 7:20 p.m.

V. PUBLIC PARTICIPATION (SCHEDULED)

- a. Kaitlyn Keating, Northfield Community Development Network (NCDN): "Night on the Common."** Ms. Keating said the NCDN was planning to work with the Northfield Farmers Market to hold another "Night on the Common" special event after not being able to hold one last year due to the pandemic. The date has not yet been set but they are anticipating either late August or early September. There will be no conflict with the Labor Day Weekend Festivities. One theme of the celebration will be the resilience of the Northfield community as we now are emerging from a global pandemic while also recognizing the local response to the extensive damage inflicted by Tropical Storm Irene ten (10) years ago this summer (08/28/11). Ms. Keating will return with more information for the Select Board members once the date has been set and will let them know of any specific requests regarding special lighting, etc.

Ms. Keating then noted the sad news regarding the recent departure of Jon Ignatowski, Northfield's first Economic Development Director, who had to resign his position due to health problems. She felt this was a great loss to the community as Mr. Ignatowski was able to accomplish much during his brief time here. Ms. Keating said NCDN members helped with the recruitment process when he was hired and would be willing to assist in finding his replacement. Mr. Ignatowski has said he is willing to help remotely with the transition process and complete any current projects.

- b. Don Rhoades, Friends of Northfield Dog Park: Dog Park Proposal.** Mr. Rhoades has appeared before the Select Board members twice before (04/27/21 and 06/22/21) to discuss his proposal to create a dog park on municipal property on Water Street near its intersection with Union Street. He thanked NCDN for allowing his group to share its non-profit organization designation for fundraising purposes. Mr. Rhoades has performed outreach in the surrounding neighborhood to allay any concerns about noise, parking, etc. He said he hasn't heard any negative comments regarding his proposal so he is hoping the Select Board members will formally endorse it at this time. He made an additional request for a municipal trash can to be sited outside the park for dog waste disposal and asked that municipal employees be tasked to empty it on a regular basis. Chair Maxwell asked if the Select Board could provide its approval tonight. Manager Schulz felt there had been sufficient opportunity for opposing public comment. Robert LaClair owns the apartment building at 230 Water Street that abuts the proposed park site. He had been sent a letter as an abutter inviting his feedback at the previous meeting but it had not reached him in time. He doesn't oppose the concept of a neighborhood dog park but has some questions regarding how it would affect his tenants. Chair Maxwell recommended he read the online minutes of the two (2) meetings where this was discussed as they contain much useful information. He felt it best to postpone formal approval of this project until the next meeting (07/27/21) when it can be warned as an action item. Mr. Rhoades said he would be willing to discuss his proposal with Mr. LaClair personally after the meeting.

- c. Bonnie Donahue and Lydia Petty, Northfield Common Connections: AARP Community Challenge Grant.** Ms. Petty said back in March (03/23/21), she and Ms. Donahue addressed the Select Board members regarding their plan to apply for an AARP Community Challenge Grant designed to make communities "more livable." Their proposal was to install pedestrian markings and "delineators" that would separate people walking along Wall Street from vehicular traffic. They just received notice that their grant application had been successful even though this cannot be publicly announced (i.e., newspaper articles, press releases, etc.) for a couple weeks. Ms. Donahue said they have been working with Manager Schulz on firming up their design plans, which now include a five-foot (5') wide painted pedestrian lane on Wall Street starting on the north side of the street by the Police Station and Fire Station and then crossing over to the south side after the crosswalk and leading up to the Wall Street Bridge. They haven't decided on the final design for the painted lane but are looking at several options.

These grant funds also would be used to purchase benches along this path, which several residents of the nearby senior housing recommended. There also would be directional signage pointing to the nearby Dog River Park. Ms. Petty said they were checking in with the Select Board tonight to provide this update and see if there were any questions or suggestions regarding their project. Board member Goodrich congratulated Ms. Petty and Ms. Donahue for being awarded another grant. She asked if the delineators would be used by the Police Station and Fire Station and thus possibly impede emergency vehicles. Ms. Donahue said they would not be sited by the stations. In fact, the material used would not be a solid barrier that would prevent cars from driving through them (if necessary). Board members Miller and Morse also provided their congratulations. Board member Morse suggested employing local color schemes for the painted lanes such as those used by Norwich University, Northfield Middle/High School, and Darn Tough. Board member Stevens also provided his best wishes for the project. Chair Maxwell asked if the pedestrian lane and delineators might impede vehicular traffic along Wall Street. Ms. Donahue said this was a fairly wide street so that shouldn't be a problem. Chair Maxwell then thanked Ms. Petty and Ms. Donahue for all their hard work on this project.

VI. APPROVAL OF MINUTES

- a. **June 22, 2021 (Regular Meeting).** Motion by Board member Morse, seconded by Board member Stevens, to approve the minutes. **Motion passed 4-0-1, with Board member Maxwell abstaining.**
- b. **June 26, 2021 (Special Meeting).** Motion by Board member Morse, seconded by Board member Stevens, to approve the minutes. Chair Maxwell found a misspelling that will be corrected. **Motion to approve the amended minutes passed 5-0-0.**

VII. APPROVAL OF BILLS

- a. **Approval of Warrant #01-22.** Motion by Board member Morse, seconded by Board member Stevens, to approve Warrant #01-22 in the amount of \$571,002.62. Board member Goodrich asked about the \$45,910 apparently spent on the 2009 Dump Truck. Manager Schulz said this expense actually was the replacement of this vehicle with a new one. Board member Stevens asked why crushed stone was purchased from McCullough Crushing rather than the company (Pike Industries) that was recently awarded the crushed stone bid. Manager Schulz said road material had to be delivered to a work site as soon as possible and McCullough Crushing was able to do this. He will try to encourage the Highway Foreman to purchase road material from Pike Industries in future. Chair Maxwell asked how the new ambulance billing contractor was working out. Manager Schulz said there had been some hiccups early in the transition process but all seems to be going well at this time. **Motion passed 5-0-0.**
- b. **Approval of Biweekly Payroll through June 27, 2021.** Motion by Board member Morse, seconded by Board member Stevens, to approve the biweekly payroll in the amount of \$100,433.45. **Motion passed 5-0-0.**

VIII. SELECT BOARD

- a. **Approval of 2021-2022 Tax Rates (Homestead & Non-Homestead).** Motion by Board member Morse, seconded by Board member Stevens, to set the FY 2021/2022 Homestead Tax Rate at 2.6575. Manager Schulz noted this is a 3.01% increase from the previous year. **Motion passed 5-0-0.** Motion by Board member Morse, seconded by Board member Stevens, to set the FY 2021/2022 Non-Homestead Tax Rate at 2.8435. This will be a 2.27% increase. Board member Morse noted this used to be called the "Non-Resident" tax rate and asked why this changed. Manager Schulz said the State of Vermont changed the nomenclature and we are adhering to this. **Motion passed 5-0-0.** The tax bills will go out tomorrow (07/14/21) with the first installment due on Friday, August 13, 2021.

- b. **Approval of General Obligation Bond Agreement (Union Brook Road Reconstruction).** Manager Schulz said now that the project has been completed and all the bills paid, the voter-approved borrowing of \$1,700,000 has been sold to the bond bank so that it can be paid back over a twenty (20) year period. Motion by Board member Morse, seconded by Board member Stevens, to approve the General Obligation Loan Agreement in the amount of \$1,700,000; to approve the General Obligation Resolution and Certificate; to approve the Municipality Tax Certificate; to approve the General Obligation Bond; and to approve the Certificate of Registration. **Motion passed 5-0-0.**
- c. **Validation of Signature on General Obligation Bond Commitment Memorandum.** Manager Schulz said he signed this memorandum on behalf of the municipality and the Town Attorney has asked for the Select Board members to retroactively approve this action. Motion by Board member Morse, seconded by Board member Stevens, to validate Manager Schulz's signature on the General Obligation Bond Commitment Memorandum. **Motion passed 5-0-0.**
- d. **Select Board Subcommittee Assignments.** As there now is a vacancy on the Highway Planning and Project Oversight Subcommittee, Chair Maxwell has volunteered to serve on it himself until the next Town Meeting in March 2022. Motion by Board member Morse, seconded by Board member Goodrich, to appoint Chair Maxwell to the Highway Planning and Project Oversight Subcommittee. **Motion passed 5-0-0.**

IX. TOWN MANAGER'S REPORT

- a. **New Fire Tanker Truck.** Manager Schulz said the new vehicle has been delivered and the firefighters are very pleased with it. As the Select Board members decided during the last budget meetings, the truck will be financed half through Capital Equipment Plan (CEP) funds and half through borrowing.
- b. **Turkey Hill Maple Farm Lease Agreement.** Manager Schulz said he has been in contact with the business owner (Mr. Anderson) regarding a revision of the current lease agreement. The revised lease document will be reviewed by an attorney before it is brought to the Select Board members for their approval.
- c. **Town Grader.** Manager Schulz said the grader again had serious problems that put it back in the repair shop. He and Highway Foreman Trent Tucker now are looking to rent a backup grader for a couple weeks.
- d. **Stony Brook Road Bridge Repairs.** Manager Schulz said a draft RFP for this project was put in the Board packets for review. He hopes to finalize the document soon so that bids can be solicited with a mid-September deadline. The plan is to have the repairs performed next spring, which will require traffic diversion for several weeks. The total cost for this project is estimated at about \$300,000 and a Vermont Agency of Transportation (VTrans) grant will pay for about half this amount. Board member Stevens asked if it were possible to extend the length of the bridge. Manager Schulz said the current plan is to widen the bridge but extending the length would require relocating the abutments, which might cost additional money. However, he will include this possibility in the RFP. Board member Morse thought the focus of the project was to replace the deck and repair one abutment. Manager Schulz confirmed this. Board member Morse felt relocating the abutments wouldn't just add to project costs but might delay it by requiring additional state permits, such as a stream alteration permit.
- e. **Tax Sale Process.** As is normal for this time of year, Manager Schulz and Town Attorney William Smith have begun the process of preparing for the tax sale of properties with multiple years of delinquent taxes. We are now looking at about twenty (20) such properties but this number usually declines right after the first tax sale advertisement is published in local newspapers. Board member Stevens asked about a tax delinquent property that the municipality purchased last year. Manager Schulz said he has contacted the property owner with certified mail, hand delivery, etc. but has failed to get any response in order to resolve this. The owner has another month to redeem the property by paying the back taxes before the municipality can start the process of taking possession.

X. BOARD MEMBERS' COMMENTS, CONCERNS, QUESTIONS

- a. Economic Development Director (EDD).** Board member Goodrich provided best wishes to former EDD Jon Ignatowski. She asked if there is a tracking mechanism in place to cover any projects he had been working on. Manager Schulz said the only unresolved matter is the recent creation of a local revolving loan fund for Northfield businesses seeking to expand, etc. Board member Morse noted that this is a budgeted position and asked if there was a timeline for hiring Mr. Ignatowski's replacement. Manager Schulz said since Mr. Ignatowski was only hired last year, the job search documentation should require only minor updates and advertising can start soon.
- b. Interim Recreation Committee.** Board member Morse said that when the Recreation Committee was dissolved earlier this year, there was a Select Board request that regular public park users be contacted regarding the establishment of an interim committee. He asked if this has been done. Manager Schulz has sent out an email in order to set up a meeting in the near future.
- c. List of Zoning Permit Applications.** Board member Morse was very pleased to receive in the Board packet the list of recent zoning permit applications that had been compiled by Zoning Administrator Mitch Osiecki. He felt it was very helpful for the Select Board members to be aware of these developments.
- d. Slate Avenue Paving.** Board member Stevens asked when the repaving of Slate Avenue would begin. Sections of the road are now torn up due to a recent stormwater project. Manager Schulz said the work is scheduled to start by the end of this month.
- e. Union Brook Road Reconstruction Project.** Board member Stevens had been informed by a resident that some edges of new pavement has already eroded. He went to view this himself and did see a few sections where this occurred. Manager Schulz said the project contractor has been contacted and this will be fixed soon.
- f. South Main Street Sidewalk.** Chair Maxwell has been very displeased with the recurrent delays in getting this project completed. Manager Schulz reached out to the contractor who said some recent delays have been unavoidable due to rainy weather. However, the project still should be concluded by the end of this month. Chair Maxwell thinks it will be a sign of municipal failure if the work is not completed by the time the Norwich University students return in mid-August.

XI. PUBLIC PARTICIPATION (UNSCHEDULED). There was none.

XII. ADJOURNMENT. Motion by Board member Morse, seconded by Board member Miller, to adjourn. **Motion passed 5-0-0.**

The Board adjourned at 8:20 p.m.

Respectfully submitted,

Kenneth L. McCann

Kenneth L. McCann, Acting Clerk

An audio recording of this meeting is available in the Town Manager's Office.

These minutes were approved at the Select Board regular meeting of July 27, 2021.